

## Robbery

Robbery is a serious offense that may be carried out by a wide range of means. In robbery, an item of value is deliberately taken from a victim or from his presence. It is taken against the victim's will by force or violence or by instilling fear. The victim's fear can be of immediate or future injury to himself, his property, or the person or property of a family member or anyone in the victim's company at the time of the robbery.

Normally, robberies are reported fairly soon after they happen. And law enforcement response is quick. The likelihood of locating the offender of a robbery is directly related to the length of time it takes to begin the investigation.

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The types of robbery investigated most often by military investigators are muggings and planned robberies of post facilities. The principles and techniques used to investigate these robberies also apply to resident, vehicle, bank, and other robberies that are encountered less often. The elements of proof for the offense of robbery remain the same, regardless of the type of robbery being investigated.

### ELEMENTS OF A ROBBERY

There are three basic elements of robbery. *First*, there must have been a larceny. All of the elements of larceny must be present. (See Chapter 14.) *Second*, the item truly must have been taken from the alleged victim or from his presence. And *third*, the item must have been taken against the victim's will by actual or threatened force or violence. It is robbery if the threat of force is enough to cause the victim to fear that the force will be used—and so keeps him from resisting. Holding a victim at gunpoint is sufficient threat to show robbery. For example, someone enters a house and points a gun at the owner. The owner, afraid of the gun, tells the hiding place of his valuables. Tying the owner up, the intruder goes into the next room where the valuables are hidden. When he takes them, he has committed robbery.

The offense of robbery combines the offenses of assault (discussed in Chapter 16) and larceny. Thus, if the elements of proof do not support a charge of robbery, they may support a charge for either lesser offense. If

there is not enough evidence to show the requisite force or engendered fear, a charge of larceny may be shown. Or if evidence fails to support a charge of larceny and the element of force is present, a charge of assault may be shown.

More than one robbery may occur at one time. If a group of people are threatened and property is taken from each person, it is more than one offense. There are as many robberies committed as there are victims. Each instance of taking is considered a separate offense. However, when several people are threatened and property is taken from only one victim, there is only one robbery along with several assaults.

Sometimes, an alleged victim may not have been robbed. He or she may have reported robbery to claim money from the government. Also, a victim may not have been robbed of money. The victim may have been robbed of drugs. In which case, the victim would be open to a charge of false swearing or false complaint.

### MUGGINGS

To solve muggings it helps to remember that a mugger is often the least professional of all robbers; he uses strong-arm tactics.

An inexperienced mugger's actions may be based only on a need for money and a sudden chance to victimize a lone person.

And because he is inexperienced, he is likely to commit a careless error. Careful crime scene processing and follow-up can help you reveal it.

An experienced mugger plans his actions. He may enlist the aid of helpers. He selects his target and location for his attack. He chooses for a victim someone who has or is believed to have a large sum of money. He picks a location that is free of witnesses and that will give him the advantage of surprise. But an experienced mugger also often sets a pattern or uses the same method of operation. His use of the same MO can lead you to him.

When you arrive at the scene of a mugging, follow the basic steps in crime scene processing. Be concerned with an area larger than the immediate scene. You may find evidence left by the robber while he waited for the victim or as he fled the scene. Contact people in nearby facilities to find out if they saw anyone in the area whose actions could be suspect.

Question the victim with care to get a description of the robber. Ask about the robber's voice, mannerisms, and clothing. Muggers, however, are often hard to identify. Many robberies, especially muggings, are done after dark or under conditions making the robber's features hard to see. Even when the robber directly confronts his victim, the victim's emotional state is often such that he or she is not able to give a good description.

Find out the type of approach the mugger used. Get a description of the items taken from the victim and of their value. Ask what the victim's actions were just before the robbery. Ask in which direction the robber went when he left the scene. And ask if he left on foot or by vehicle.

Interview the victim of a robbery more than once. At a later interview the victim may remember details he or she could not recall right after the crime because of stress. Even if the victim recalls only a few details about the attacker, it will help.

One of the best ways to identify a suspect is to piece together a composite description supplied by several different victims. If the composite can be made in enough detail, you can prepare and distribute CID Form 88

(Wanted Poster). Consider giving local and resident federal agencies copies of the poster. On occasion you may want to use the post newspaper and local newspapers and TV stations as other means of publicizing the poster.

As you develop leads to the robbery, check known or suspected drug addicts. Addicts are often so desperate for money to support their habit that they commit muggings. An addict may also be careless about how he exchanges the stolen item for cash. He may pawn it or sell it to someone else.

Check pawn shops periodically for items known to have been taken in robberies. If automobiles have been involved, run a computer check of like-type vehicles. Have victims of robberies view the photographic identification file of the local USACIDC office. If possible, use local police department files as well.

In the absence of physical evidence, a study of the mugger's MO is of great value. One MO that experienced muggers may use is the yoking technique. In this technique, two or three muggers are involved. If there are three muggers, the largest of the group subdues the victim. He does this from behind, using a stranglehold on the victim's neck. The second mugger usually holds the victim's arms, while the third searches his pockets and removes the valuables. If only two muggers are involved, the smaller of the two muggers searches the victim's pockets and controls the victim's hands at the same time.

Because robbery is a recidivist crime, the techniques and mannerisms of the suspects are clues to their identities. Look for use of the same or like locations. Perhaps there is a pattern of using parking lots or parade grounds, or stairwells. See what weapons are used, if any. Check the method of approach or number of muggers. Learn what the mugger says as his opening statement to the victim. If any conversation was held with the victim or among the accomplices, learn what was said. Ask about peculiarities of accent or pronunciation of certain words. Note the violence used against the victim. Specifically, note how and where an injury may have been inflicted.

## ROBBERIES OF MONEY-HANDLING FACILITIES

The best way to solve a robbery of a post facility is to seal the area off quickly and catch the subject before he or she can flee the scene and dispose of the stolen property. It helps that post military police stations have an alarm system that can be triggered at money handling facilities like banks, commissaries, or post exchanges. MP, responding in a preplanned manner, can block avenues of escape.

Serious crimes on military bases often come under the jurisdiction of federal law enforcement agencies. In some cases, bank robberies, car thefts, and thefts of US property are investigated by the FBI. Federal agencies outside the military that have sole or concurrent jurisdiction are called immediately. Local authorities are contacted as a matter of routine police coordination.

Identifying and questioning witnesses is critical to solving robberies of this kind. Have another investigator or an MP help get the names of everyone in the facility. Check for witnesses outside the building. Someone may have seen the suspects as they fled.

As with muggings, you need certain information. You want a list of events that happened just before the offense occurred. This includes the movements of the victim and others. You need a detailed physical description of the offender and any accomplices. Get this while the information is still fresh in people's minds. Get a detailed description of the methods and actions used by the offender and accomplices in the crime. Obtain a description of weapons and vehicles used in the offense.

Note what conversation occurred between the offender and his victim. If the robber had accomplices, note what they said to each other. The wording of verbal threats or demands uttered by the offender must be carefully documented. Written threats and demands must be retained and examined.

Some of the witnesses are likely to be customers rather than employees. They may not want to be interviewed. But all employees must be interviewed. Both positive and

negative actions may have influenced the robber's plans. Fewer employees may have worked on the day of the crime because of lighter patronage. This factor may have entered into the robber's planning. Habitual movements by employees also could have been used to the robber's advantage.

In the planning stage of a robbery it is almost a must that robbers reconnoiter the target. They may even rehearse their actions. An employee's attention may have been drawn to such actions. During the course of interviewing all the employees, this may be brought out.

When you process the crime scene of a robbery of a money handling facility, pay careful attention to any methods of restraint the robbers used. Robbers sometimes restrain their victims with rope, adhesive tape, or the like. A certain type of knot may offer a clue to a robber's identity. If adhesive tape is used over the victim's mouth, fingerprints may be found on either side of the tape. You may be able to trace the material to either the manufacturer or distributor. And also look for the more usual clues. Items are sometimes carelessly left at the scene of the robbery. Clothing, shell casings, and notes handed to a victim may offer clues like fingerprints or laundry marks. If the robber abandons a vehicle, latent fingerprints and items of clothing left in the vehicle may give clues.

As with muggings, note facts pointing to a certain *modus operandi*. Matching the MO of an unsolved robbery with cases from other police agencies may lead to identifying and apprehending prime suspects. Perhaps the target was cased weeks in advance. Was there a detailed timetable of operations? Note the number of persons used to commit the robbery. Pay attention to how their tasks were split. Sometimes one man directs the operation, and others perform the actual work of the robbery. Tasks may be handled by roles: "driver", "gun man," "look-out," "inside man." Check the techniques used during the actual robbery. Note how persons were positioned. Did they use verbal commands, written or verbal demands, visual signals? Pay attention to the kind of

equipment that was used and the types of facial disguises that may have been used. Did the robbers' conversation suggest a

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prearranged plan for dividing the money? And be sure to check the method of escape and the route followed to achieve escape.